

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

IN RE CONAGRA FOODS, INC.)
DERIVATIVE LITIGATION)
)
SHAWN VAN HEES, Derivatively)
on behalf of CONAGRA FOODS,)
INC.,)
)
Plaintiff,) 8:05CV342
)
v.)
)
JAMES P. O'DONNELL, BRUCE)
ROHDE, FRANK S. SKLARSKY,)
MOGENS C. BAY, STEPHEN G.)
BUTLER, ALICE B. HAYES, W.G.)
JURGENSEN, CARL E. REICHARDT,)
DAVID H. BATCHELDER, HOWARD G.)
BUFFETT, MARK H. RAUENHORST,)
JOHN T. CHAIN, JR., RONALD W.)
ROSKENS, KENNETH E. STINSON,)
STEVEN F. GOLDSTONE and)
ROBERT KRANE,)
)
Defendants.)
)
and)
)
CONAGRA FOODS, INC., A)
Delaware corporation,)
)
Nominal Defendant.)
)

GERALD HALPERN, Derivatively)
on behalf of CONAGRA FOODS,)
INC.,)
)
Plaintiff,) 8:05CV343
)
v.)
)
JAMES P. O'DONNELL, BRUCE)
ROHDE, FRANK S. SKLARSKY,)
MOGENS C. BAY, STEPHEN G.)
BUTLER, ALICE B. HAYES, W.G.)
JURGENSEN, CARL E. REICHARDT,)

DAVID H. BATCHELDER, HOWARD G.)
BUFFETT, MARK H. RAUENHORST,)
JOHN T. CHAIN, JR., RONALD W.)
ROSKENS, KENNETH E. STINSON,)
STEVEN F. GOLDSTONE and)
ROBERT KRANE,)
)
Defendants.)
)
and)
)
CONAGRA FOODS, INC., A)
Delaware corporation,)
)
Nominal Defendant.)
)

CHARLES ZIMMERMAN,)
Derivatively on behalf of)
CONAGRA FOODS, INC.,)
)
Plaintiff,) 4:05CV3183
)
v.)
)
JAMES P. O'DONNELL, BRUCE) ORDER
ROHDE, FRANK S. SKLARSKY,)
MOGENS C. BAY, STEPHEN G.)
BUTLER, ALICE B. HAYES, W.G.)
JURGENSEN, CARL E. REICHARDT,)
DAVID H. BATCHELDER, HOWARD G.)
BUFFETT, MARK H. RAUENHORST,)
JOHN T. CHAIN, JR., RONALD W.)
ROSKENS, KENNETH E. STINSON,)
STEVEN F. GOLDSTONE and)
ROBERT KRANE,)
)
Defendants.)
)
and)
)
CONAGRA FOODS, INC., A)
Delaware corporation,)
)
Nominal Defendant.)

)

This matter is before the Court on plaintiffs' motions and amended motions for consolidation, appointment as lead plaintiff and approval of selection of lead counsel (Filing Nos. 32 and 38 in 8:05CV342; Filing Nos. 29 and 35 in 8:05CV343; Filing No. 21 in 4:05CV3183). Also pending are motions for extension of time to answer (Filing No. 35 in 8:05CV342; Filing No. 32 in 8:05CV343); and joint motion to extend deadline for submitting discovery planning report (Filing No. 36 in 4:05CV3183). The Court finds the motions and amended motions for consolidation should be granted.

It appears that the parties agree as to co-lead counsel for plaintiffs, and the Court will grant the motion. Further, the Court will grant the joint motion in 4:05CV3183 (Filing No. 36) to extend time to submit the discovery planning report. Accordingly,

IT IS ORDERED:

- 1) The motions and amended motions for consolidation for all purposes are granted. The caption shall appear as above.
- 2) Robbins Umeda & Fink, Reich & Binstock, Faruqi & Faruqi, LLP are appointed to serve as co-lead counsel.
- 3) Domina Law, PC, LLO, is appointed as liaison counsel.
- 4) Plaintiff shall have until February 24, 2006, to file a consolidated complaint.

5) Defendants shall have until March 24, 2006, to respond thereto.

6) The joint motion for extension of time to submit the discovery planning report in 4:05CV3183 is granted. The parties shall have until April 14, 2006, to file said report.

DATED this 30th day of December, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court